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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/830,864	08/23/2001	Goran Lundgren	LAGROTH-023	3544
530	7590	12/02/2004	EXAMINER	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			YAO, SAMCHUAN CUA	
			ART UNIT	PAPER NUMBER
			1733	

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/830,864

Applicant(s)

LUNDGREN ET AL.

Examiner

Sam Chuan C. Yao

Art Unit

1733

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 18 November 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:


Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 7,9-10, and 12.

Claim(s) withdrawn from consideration: _____

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
10. ☐ Other: _____


Sam Chuan C. Yao
Primary Examiner
Art Unit: 1733

Remarks

On page 5 full paragraph 1, Counsel argued that “[e]ven if incinerating polluting gases is common practice during a manufacturing process, the claimed invention is not rendered obvious because simply stating that it is known to incinerate polluting gases in a manufacturing process does not provide any teaching, ... to incinerate polluting gases in a method of making lignocellulosic board.” Examiner strongly disagrees. As noted in a prior office action, “A well known problem ... is that gases are generated in the press during the compression process, which takes place at high temperatures. These gases consist of water vapour (steam), ... (VOC), and gaseous phenol ... It has been found that long time exposure to these substances result in irritation, and that they are harmful to personal health ... Consequently authorities ... have established rules and regulations that state the emission concentrations that are permitted in work place and the concentrations permitted in emissions to the atmosphere” (Applicant’s specification; emphasis added; page 1 to page 2 line 2). It is respectfully submitted that, one in the art, motivated by the desire to reduce a concentration of polluting gases (i.e. VOC) in a work-place/environment to meet regulations established by authorities would have incinerated captured polluting gases instead of simply releasing the polluting gases to the work-place/environment. As for Counsel’s argument regarding the claimed invention of “transporting the steam and gaseous emissions to a combustion plant, which is not common practice”, it should be noted that, the gases captured via a suction

device in a modified process of Tilby includes a blend of steam and various gases (i.e. hot air, VOC, etc.). Unless one in the art is willing to install a complex and expensive separation device to separate the steam from the various gaseous materials in a conduit, various gaseous materials including steam would have to be incinerated together in a combustion plant.

On page 6 full paragraph 1, Counsel argues that, “[n]one of the references cited disclose using suction air to supply hot air to the injection press”. However, as noted in a prior office action, application of a vacuum/suction means to collect conditioning air in a modified process of Tilby would have been obvious in the art for reasons of record. Note: the collected conditioning air via vacuum/suction means is taken to be a suction air. As further noted in a prior office action, it would have been obvious in the art, motivated by a desire to conserve energy, to re-use a spent (i.e. heated) cooling air captured in a conditioning zone and re-use it as a heating medium in a hot-air heating zone in a belt press, such is conventional in the art. For instance, Puumalainen teaches using a heated cooling fluid at another point in the process by using it “to heat the process water in a paper-making or a board machine.” (abstract; col. 4 line 37 to col. 5 line 26; figure 1); Holik teaches re-using the heat extracted from a spent (i.e. heated) coolant to “elsewhere in the paper making process” (col. 5 lines 13-19); Westelaken teaches re-cycling heating/cooling air so that, “air entering the heater section 40 is effectively pre-heated thereby requiring the addition of considerably


less thermal energy to raise air to the desired or requisite drying temperature."

(emphasis added; col. 7 line 55 to col. 8 line 16); and, Lehtinen teaches "Cooled air is removed through conduits 22a to 22d and recycled to the heating step in order to recover the remaining heat energy". (col. 5 lines 31-41; figure 3). It directly follows that, one in the art, motivated by the desire to recycle the captured conditioning air (i.e. suction air) at the same time reduce heating energy cost by using the suction air in a modified injection belt-press of Tilby, would have heated the suction air to a temperature of at least 350 °F as disclosed by Walsh in order to effectively cure a conventional thermosetting binder in a fiber mat.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Chuan C. Yao whose telephone number is (571) 272-1224. The examiner can normally be reached on Monday-Friday with second Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on (571) 272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Sam Chuan C. Yao
Primary Examiner
Art Unit 1733

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11-29-04